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**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

October 2, 2016

★ SEP 12 2016 ★  
LONG ISLAND OFFICE

Hon. Joseph F. Bianco  
US District Court Judge  
US District Court  
920 Federal Plaza  
Central Islip, NY 11722

Re: U.S. v. Kenner 13-607 (JFB)

Dear Judge Bianco:

During the court appearance on September 15, 2016, I indicated I anticipated submitting two submissions, on behalf of Mr. Kenner, on October 7, 2016. One submission was a supplement to the objections, to the PSR, previously submitted by Mr. Haley. The second submission, was a "Roadmap" letter (or memorandum) clarifying the *pro se* submission which Mr. Kenner has submitted along with others which he has prepared and seeks to submit.

Regarding the first submission, I intend to submit it by October 7<sup>th</sup>.

Regarding Mr. Kenner's *pro se* submissions, in their present form they contain hundreds (possibly over a thousand) pages of documents. As I indicated during the September 15<sup>th</sup> appearance, pursuant to my review, it appears these submissions fall within the purview of a Rule 33 motion. However, in their present format they are voluminous and difficult to review. I have discussed these submissions with Mr. Kenner and offered suggestions how they may be pared down while still presenting issues he seeks to raise. He indicated he will endeavor to edit and reduce the size of his submissions. However, at this point, I do not anticipate having a reduced set of submissions, coupled with a Roadmap, by October 7<sup>th</sup>. I have discussed the foregoing with the Government and indicated I anticipate submitting these items by November 7, 2016. The Government does not object to this proposal. Accordingly, I respectfully request the briefing schedule be modified to indicate the Roadmap and related *pro se* submissions are to be submitted on November 7, 2016

Respectfully submitted,

/s/

Jeffrey G. Pittell

*Request granted. In light of the extension,  
the status conference is re-scheduled for  
November 9, 2016, at 11:30 a.m.*

cc: Diane Leonardo, AUSA  
Phillip Kenner  
U.S. counsel of record via ECF

*St. Joseph Bianco*  
Oct. 12 2016  
Central Islip, NY